

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DION QUINN,

Plaintiff,

v.

LLOYD J. AUSTIN, III,

Defendant.

CASE NO. C23-0665JLR

ORDER

Before the court is *pro se* Plaintiff Dion Quinn's motion for appointment of counsel. (Mot. (Dkt. # 4-1).) Mr. Quinn filed this action against Defendant Lloyd J. Austin, III on May 6, 2023. (Prop. Compl. (Dkt. # 1); Compl. (Dkt. # 4).) He brings claims for employment discrimination and retaliation under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.*, and the Age Discrimination in Employment Act,

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1 29 U.S.C. § 621, *et seq.* (See Compl. at 3-6; *see also id.* at 10-38 (describing the
2 underlying facts).¹)

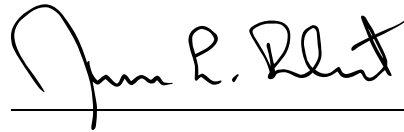
3 This District has implemented a plan for court-appointed representation of civil
4 rights litigants. See General Order No. 16-20 (Dec. 8, 2020). The District's pro bono
5 plan requires a *pro se* plaintiff in a non-prisoner civil rights action to attach, to their
6 motion for appointment of counsel, (1) a financial affidavit/declaration and (2) an
7 affidavit/declaration "stating the party's efforts to obtain counsel by means other than
8 appointment and indicating any prior pro bono appointments of counsel to represent the
9 party in cases brought in this [c]ourt." *Id.*, Section 3(a). The plan currently in effect
10 requires the court to then assess a plaintiff's case before forwarding it to a pro bono
11 screening committee for further review and a possible appointment of pro bono counsel.
12 See *id.*, Section 3(c). The court assesses the plaintiff's case to determine that it is not
13 frivolous and that the plaintiff is financially eligible. *Id.*; *see also Bradshaw vs.*
14 *Zoological Society of San Diego*, 662 F.2d 1301 (9th Cir. 1981) (stating that in reviewing
15 a request for appointment of counsel in a Title VII case, the court must assess (1) the
16 party's financial resources, (2) the efforts they already made to secure counsel, and
17 (3) whether their claim has merit).

18 Mr. Quinn did not attach a financial affidavit/declaration describing his financial
19 resources to his motion. (See *generally* Mot.; Dkt.) Accordingly, the court is unable to
20 assess whether Mr. Quinn is financially eligible for appointment of counsel. See General

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22 ¹ Mr. Quinn also suggests that he has claims under 18 U.S.C. § 241 and § 242. (See
Compl. at 3.)

1 Order No. 16-20, Section 3(a), (c). As such, the court DEFERS ruling on Mr. Quinn's
2 motion for appointment of counsel and ORDERS Mr. Quinn to file a financial
3 affidavit/declaration describing his financial resources² by no later than **June 26, 2023**.
4 If Mr. Quinn fails to file a financial affidavit/declaration by that date, the court will deny
5 his motion for appointment of counsel. The court DIRECTS the Clerk to note Mr.
6 Quinn's motion for appointment of counsel (Dkt. # 4-1) for June 26, 2023.

7 Dated this 7th day of June, 2023.

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10 JAMES L. ROBART
United States District Judge

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20 _____
21 ² In the financial affidavit/declaration, Mr. Dion should provide financial information
22 similar to the financial information requested in the District's declaration and application to
proceed *in forma pauperis*. See *Declaration and Application to Proceed In Forma Pauperis*,
W.D. Wash., <https://www.wawd.uscourts.gov/sites/wawd/files/IFPApplication.pdf> (last visited
June 7, 2023).